

REMARKS

In paragraph 2 of the Action, it was held that the information disclosure statement filed 2/26/2004 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance. However, Japanese publications No. 62-126044 and No. 5-47816 submitted in the IDS were explained on pages 2 and 3 of the specification. Therefore, please consider the IDS.

In paragraph 3 of the Action, the drawings were objected to. In view of the objection, Fig. 12 has been amended.

In paragraph 4 of the Action, claims 3-6 and 16-18 were rejected under 35 U.S.C. 112, second paragraph. In paragraph 5 of the Action, claims 1, 4 and 14-17 were rejected under 35 U.S.C. 102(b) as being anticipated by Takimoto et al. In paragraph 6 of the Action, claims 1, 2 and 18 were rejected under 35 U.S.C. 103(a) as being unpatentable over Takimoto et al. in view of Ahern et al. or Holzhauser. In paragraph 7 of the Action, claims 5 and 6 were indicated allowable if rewritten to overcome the rejection under 35 U.S.C. 112, second paragraph and to include all of the limitations.

In view of the rejections and indication of allowance, claims 1, 3-6, 14 and 16 have been amended, wherein claim 5 has been amended in independent form and claim 14 has been amended to depend from claim 1. Claims 7-13 have been canceled, and new claims 19-21 have been filed. Claims pending in the application are patentable over the cited references, as explained below.

A document feeder of claim 1 is disposed above a platen of an image reading apparatus. The document feeder comprises a sheet feed stacker disposed above the platen for stacking an original, a sheet discharge stacker disposed above the sheet feed stacker, transporting means, and drive means connected to the transporting means for driving the same and capable of rotating in forward and reverse directions.

In the invention, the document feeder further comprises a transporting guide having one side for communicating with the sheet feeding stacker and the sheet discharge stacker, and the other side. The transporting means is disposed above the platen adjacent to the other side of the transporting guide. The transporting means transports the original from the sheet feed stacker to a predetermined position on the platen through the transporting guide and transports the original on the platen to the sheet discharge stacker through the transporting guide.

Namely, the sheet feed stacker and the sheet discharge stacker are vertically spaced, and the transporting guide is located adjacent to both the sheet feed stacker and the sheet discharge stacker. Thus, the original on the sheet feed stacker is transported onto the platen through the transporting guide, and the original on the platen is transported onto the sheet discharge stacker through the same transporting guide.

In paragraph 5 of the Action, it was held that "Figs. 1-16 show a document feeder ... comprising: a sheet feed stacker (including 24 and 26) ..., transporting means (including 130) ..., a sheet discharge stacker (including 36) ..., a transporting guide (including 22 and 474)"

In the above explanation, a base portion 22 and a guide member 474 separated from each other are deemed as a transporting guide. However, the base portion 22 is formed adjacent to an extension 24 as the sheet feed stacker, while the guide member 474 is spaced from the base portion 22 and is located at document discharging-reversing means. The base portion 22 and the guide member 474 are completely spaced apart from each other and operate entirely differently or separately. Thus, the base portion 22 and the guide member 474 are completely separate members, and can not constitute one transporting guide, corresponding to the invention.

Especially, the transporting means in claim 1 transports the original from the sheet feed stacker to a predetermined position on the platen through the transporting guide and transports the original on the platen to the sheet discharge stacker through the same transporting guide. In Takimoto et al., the sheet from the sheet feed stacker can not pass the same portion twice when it is ejected to the sheet discharge stacker.

The explanation in the Action is not correct, and Takimoto et al. does not disclose or even suggest the transporting guide of the invention, through which the sheet from the sheet feed stacker is supplied onto the platen and the sheet on the platen is discharged to the discharge stacker.

Claim 1 is not anticipated by Takimoto et al.

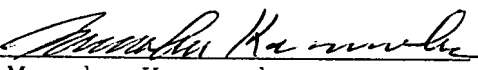
Ahern et al. and Holzhauser were cited to show a document feeder to be disposed above a platen with vacuum means. As stated in the Action, the vacuum means is disposed above the platen, but these references do not rectify the deficiencies of Takimoto et al.

As explained above, the cited references do not disclose or even suggest the specific features as recited in claim 1. Therefore, even if the cited references are combined, claims of the application are patentable over the cited references.

Reconsideration and allowance are earnestly solicited.

If any further amendment is required to clarify the claims, please contact the undersigned agent.

Respectfully Submitted,

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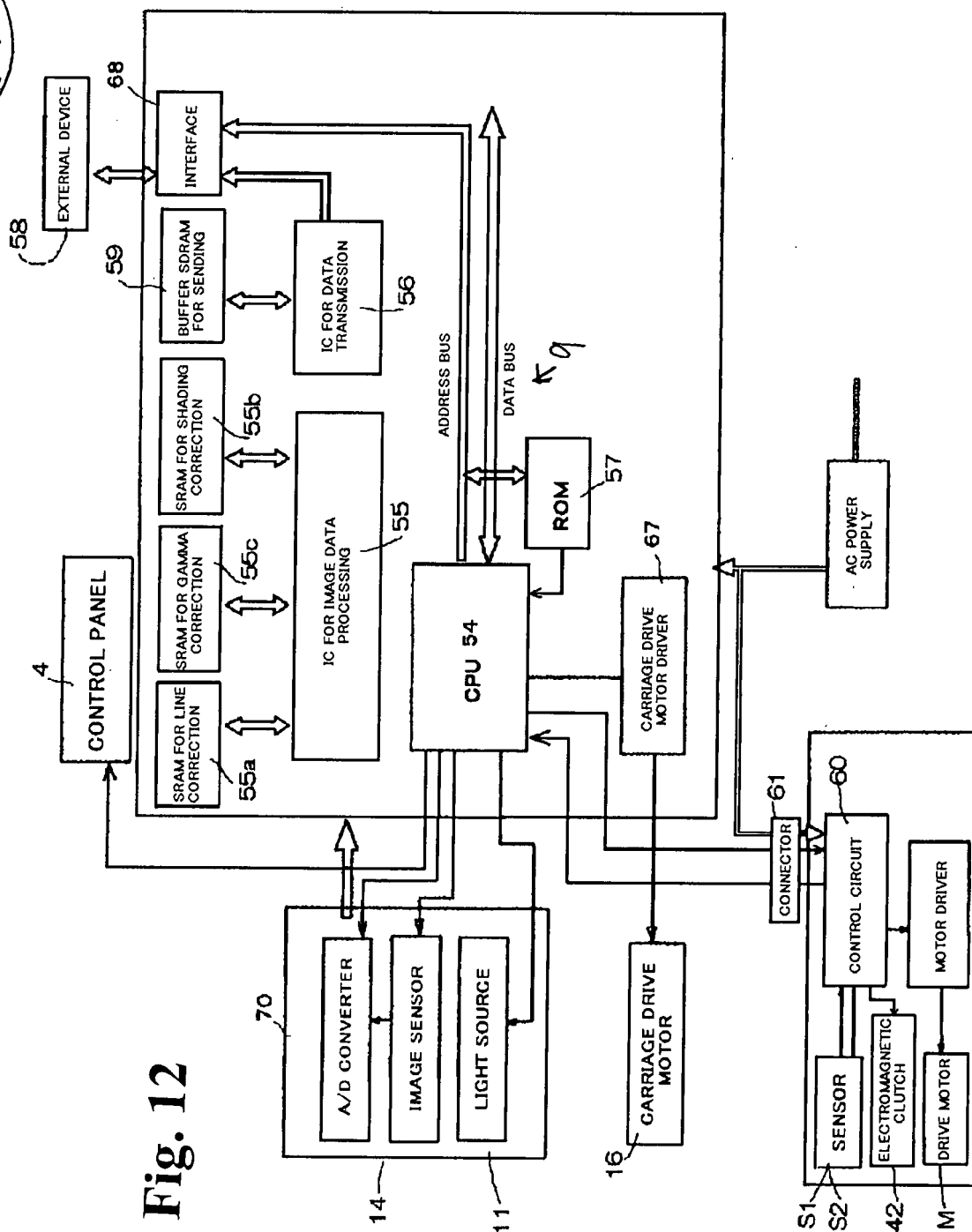


Fig. 12